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NOBAtty Dkt No. OPF 10.02  
PATENT

3-15-02

## Certificate of Transmission:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re Application of:

POTTER et al.

TECHNOLOGY CENTER R3700

Serial No.: 09/462,218

Art Unit: 3763

Filing Date: 6 July 1998

Examiner: K.C. Simons

Title: SYRINGE AND CAPSULE THEREFOR

RESPONSE TO REQUIREMENT FOR ELECTION/RESTRICTION

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to an Office Action in the above-referenced application, mailed 3 December 2001, and having a shortened two month statutory period for response. Accordingly, a two-month extension of time to respond is requested, and the petition and fee therefor accompanies this paper.

Atty Dkt No. OPF 10.02  
USSN: 09/462,218  
PATENT

### RESPONSE

#### Election of Species:

The Office has required election among the following species:

**Species (I):** corresponding to Figures 1-3;

**Species (II):** corresponding to Figures 1, 4 and 5;

**Species (III):** corresponding to Figures 1, 6 and 7;

**Species (IV):** corresponding to Figures 1, and 8-12;

**Species (V):** corresponding to Figures 1, and 13-15;

**Species (VI):** corresponding to Figures 1, and 16-17; and

**Species (VII):** corresponding to Figures 1, and 18-19.

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TECHNOLOGY CENTER R3700

This election of species requirement is brought under 35 U.S.C. §121. Currently, no claims have been indicated as generic to the species.

In response to this species election requirement, applicants hereby elect the **Species (VI)**, that is, the species corresponding to Figures 1 and 16-17. Election of the **Species (VI)** is made herein without traverse. The claims reading on this elected species are claims 1-5, 8, 13, 14, 19, 21 and 22. Claims 1 and 14 are generic. It is to be understood that this election of species is for the purposes of preliminary search only, and that upon allowance of a generic claim, applicants will be entitled to consideration of claims to the additional species.

### CONCLUSION

Applicants respectfully submit that the claims as now pending define an invention which complies with the requirements of 35 U.S.C. § 112 and which is novel

Atty Dkt No. OPF 10.02  
USSN: 09/462,218  
PATENT

and nonobvious over the art. Accordingly, allowance is believed to be in order and an early notification to that effect is earnestly solicited.

If the Examiner notes any further matters which he believes could be expedited by a telephone call, he is requested to contact the undersigned in the UK at +44 1865 332 600.

Respectfully submitted,

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Date: 14 March 2002

By: Thomas P. McCracken

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